

*Town of Norwell*  
**BOARD OF APPEALS**  
**Business Meeting Minutes**  
**June 29, 2022**

**MEETING DATE:** Wednesday, June 29, 2022  
**TIME SCHEDULED:** 7:00 P.M.  
**LOCATION:** Osborn Room  
**MEMBERS PRESENT:** Lois S. Barbour, Chair  
Philip Y. Brown, Vice Chair  
Ralph J. Rivkind, Clerk  
Daniel M. Senteno Assistant Clerk  
William J. Lazzaro  
Stephen H. Lynch  
**MEMBERS ABSENT:** Nicholas K. Dean

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TOWN CLERK  
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**CALL TO ORDER:** The business meeting was called to order at approximately 7:00 P.M.

**AGENDA:** Upon a motion duly made and seconded, members present **VOTED** unanimously to accept the agenda, as written.

**REORGANIZATION OF THE BOARD:** The first item on the agenda was reorganization of the Board of Appeals that was delayed due to a regular member's absence at the last two meetings as the result of a conflict. Upon a motion made by Member Brown and seconded by Member Rivkind, members present **VOTED** unanimously to re-elect Lois S. Barbour as Chair. Upon a motion made by Member Rivkind and seconded by Member Barbour, members present **VOTED** unanimously to re-elect Member Philip Y. Brown as Vice Chair. Upon a motion made by Member Brown and seconded by Member Barbour, members present **VOTED** unanimously to re-elect Member Ralph J. Rivkind, as Clerk.

**ZOOM PROTOCOL:** Mr. Lynch reviewed the protocol for Zoom participants.

**MINUTES:** Upon a motion duly made and seconded, members present **VOTED** to approve the business meeting minutes of 6/1/22, with reading of the minutes waived. Upon a motion duly made and seconded, members present **VOTED** to approve the business meeting minutes of 6/15/22, with reading of the minutes waived.

**INVOICES:** None presented.

**DISCUSSION on Damon Farm:** The Board received a request from the developer to return the cash bond, based upon invoices and copies of checks presented. Ms. Trifone was present via Zoom and agreed to check with her engineer to determine when the final as-built plan would be available and to provide copies of the cashed checks. She will advise the Board's administrative assistant when those items will be submitted in order for the Town's peer review consultant/project monitor to review.

**DISCUSSION on Tiffany Hill:** The Board has received information about debris that was delivered to that site with pieces of glass, metal and other inappropriate items. A copy of that email was sent to Mr. Itani, who responded that he would be happy to meet with the HOA.


Allen Upjohn of 25 Hillcrest is concerned that Mr. Itani has not yet reached out to the HOA. He is also concerned that there is a rush to complete the project without taking proper care to ensure that it is done correctly. He mentioned the discussion about plant materials and that the growing season is past for most lawn and grass cover starts. In fact, a suggestion had been made at the 6/1/22 meeting to wait until fall to seed, as it appears there is not sufficient water to ensure proper growth. Member Lynch stated he is committed to seeing that all ZBA responsibilities are met and referred to the List of

20 items discussed on 6/1/22. Member Barbour stated those minutes were approved earlier in this meeting and will likely be posted the day after this meeting.

Brian Polansky of 31 Hillcrest expressed concerns about the noise from Route 3 and a sound barrier. Chair Barbour stated that the Board followed legal advice at the time. Unfortunately, this was a finding in the decision and not a condition. Member Brown then asked whether there were any representations made to buyers at the time the property was sold. Mr. Polansky said a lot of representations had been made. Mr. Brown suggested that he should consult with his attorney, as this is a matter outside of the Board's authority. Mr. Polansky stated that he understood.

**ADJOURNMENT:** As there was no further discussion, upon a motion duly made and seconded, at approximately 7:28 P.M., members present **VOTED** unanimously to adjourn the business meeting.

*These minutes have been approved with reading of the minutes waived by unanimous vote of the Board of Appeals at a public meeting duly held on 7/6/22 in accordance with M.G.L. c40A, Section 11, and the Massachusetts Open Meeting Law.*

Signed:  Date: 7/6/22  
As Clerk

*Next scheduled meeting: July 27, 2022*

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